

Translation

PATENT COOPERATION TREATY

PCT/DE2003/003941



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference W1.2247PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/DE2003/003941	International filing date (day/month/year) 27 November 2003 (27.11.2003)	Priority date (day/month/year) 16 December 2002 (16.12.2002)
International Patent Classification (IPC) or national classification and IPC B41F 30/04		
Applicant KOENIG & BAUER AKTIENGESELLSCHAFT		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 8 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 13 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 30 June 2004 (30.06.2004)	Date of completion of this report 24 May 2005 (24.05.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/DE2003/003941

## I. Basis of the report

1. With regard to the **elements** of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ 3-16 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_ 1,2 \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 14 December 2004 (14.12.2004)
- ☒ the claims:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_ 1-69 \_\_\_\_\_, filed with the letter of \_\_\_\_\_ 14 December 2004 (14.12.2004)
- ☒ the drawings:  
pages \_\_\_\_\_ 1/6,6/6 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.  
These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: III.1

**Non-establishment of opinion with regard to novelty,  
inventive step and industrial applicability**

According to the applicant's request of 14 December  
2004, the examination is to be limited claims 1, 5  
to 24 and 25 to 38.

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: IV.3

**Lack of unity of invention**

1. This Authority has determined that the international application contains multiple inventions which are not linked by a single general inventive concept (PCT Rule 13.1), as follows:

I: claims 1 and 5 to 24:

printing blanket assembly having a filler mass as a support element;

II: claims 25 to 38:

subsequent vulcanization of a printing blanket assembly having a filler mass.

2. The reasons for this are as follows:

A printing blanket assembly having a filler mass as a support element and the specific extension in the peripheral direction as per the essential feature of the first invention according to independent claim 1 does not necessarily include a subsequent vulcanization step in the production method as per the essential feature of the second invention according to independent claim 25, and vice versa.

3. Contrary to PCT Rule 13.1 PCT, there is no technical relationship between the two inventions involving the same or corresponding special technical features in **both** independent claim 1 and independent claim 25.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1, 5-24	YES
	Claims	25	NO
Inventive step (IS)	Claims	1, 5-24	YES
	Claims	26-38	NO
Industrial applicability (IA)	Claims	1, 5-38	YES
	Claims		NO

### 2. Citations and explanations

#### 1. First invention:

##### 1.1 Claim 1:

##### 1.1.1 Prior art:

D2 (US-A-5 749 298), which is cited in the description, discloses a printing blanket assembly having all the features in the preamble of independent claim 1.

##### 1.1.2 Problem:

The provision of printing blanket assemblies for a printing blanket cylinder of a printing press.

##### 1.1.3 Solution:

The specific combination of all the features in claim 1, in particular the specific arrangement of the filler mass in the form of a support element according to the characterizing part of claim 1 is neither described by nor obvious from the prior art, and an inventive step within the meaning PCT Article

33(3) PCT is therefore involved.

1.2 Claims 5 to 24:

Dependent claims 5 to 24 each define advantageous embodiments of a printing blanket assembly having all the features of independent claim 1.

2. Second invention:

2.1 Novelty:

2.1.1

The present application fails to meet the requirements of PCT Article 33(1) because the subject matter of independent claim 25 is not novel within the meaning of PCT Article 33(2).

2.1.2

D1 (US-A-4 635 550), which is considered to be the closest prior art, already discloses (see abstract; column 2, line 42 to column 5, line 43 and figures 1 and 2) all the features of the present claim 25; see, for example:

"25. Method of producing a printing blanket assembly for a printing cylinder of a printing press (abstract; figures 1 and 2) having a dimensionally stable support plate (28) and a printing blanket (22, 40) fixed to the outside (figures 1 and 2) of the support plate (28), wherein filler mass (37) is provided on at least one end (figures 1 and 2) of the printing blanket (22, 40), wherein at least the support plate (28) is situated in a production device (column 3, line 44 to column 4, line 48) outside of the printing press and the filler mass (37) is

introduced into this production device (columns 3 and 4), characterized in that the printing blanket assembly (figures 1 and 2) is vulcanized (column 3, lines 57 to 66 and column 4, lines 19 to 32) after the filler mass (37) has been introduced (column 3, lines 57 to 66 and column 4, lines 19 to 32)."

## 2.2 Inventive step:

### 2.2.1

Dependent claims 26 to 38 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty and inventive step under PCT Article 33. The reasons for this are as follows:

### 2.2.2 Claims 26 to 29 and 32 to 38:

Dependent claims 26 to 29 and 32 to 38 relate to a minor modification of the method according to claim 25 which lies within the scope of what a person skilled in the art routinely does on the basis of familiar considerations, especially since the resulting advantages are readily foreseeable. Consequently, the subject matter of claims 26 to 29 and 32 to 38 does not involve an inventive step.

### 2.2.3 Claims 30 and 31:

The features of dependent claims 30 and 31 have already been used for the same purpose in a similar method (see D2 (US-A-5 749 298)). It was therefore obvious for a person skilled in the art to also use these features in a method according to D1 to like effect and in this way to arrive at a method according to claims 30 and 31.